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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,536	08/22/2001	William K. Zuravleff	0011-053	8704

7590

09/16/2003

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EXAMINER

CHOWDHURY, TARIFUR RASHID

ART UNIT

PAPER NUMBER

2871

DATE MAILED: 09/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/935,536

Applicant(s)

ZURAVLEFF, WILLIAM K.

Examiner

Tarifur R Chowdhury

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8,10-15 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8,10-15 and 17-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

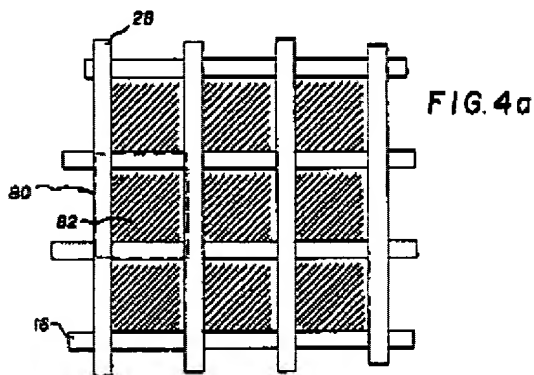
1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 8, 10, 11, 13-15, 17, 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Stephenson, USPAT 6,025,952.**

3. Stephenson discloses and shows in Fig. 4a, an LCD array having a plurality of imaging surfaces (80) arranged in rows and columns with gaps there between, an improvement comprising:



a plurality of traces (16, 28) arranged such that the gaps are generally underlain by the traces such that light passing through the gaps is blocked by the traces (col. 5, lines 23-27);

Accordingly, claims 8 and 13 are anticipated.

As to claims 10 and 17, Stephenson also discloses and shows in Fig. 4a that at least some of the gaps which are positioned in a first direction are underlain by a first plurality of traces on a first metal layer and at least some of the gaps which are positioned in a second direction are underlain by a second plurality of the traces on a second metal layer (col. 5, lines 24-26);

As to claim 11, it is clear from Fig. 4a of Stephenson that the first direction is perpendicular to the second direction.

As to claims 15 and 20, since the method of blocking light in an LCD array is merely a list for forming each component and each component must be formed to make the device, the method would be inherent to the device.

As to claims 14 and 19, Stephenson shows in Fig. 4a that the first direction is horizontal direction and the second direction is vertical direction.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-7, 12 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stephenson as applied to claims 8-11, 13-17, 19 and 20 above.**

6. As to claims 1-3, 12 and 18, Stephenson discloses all the limitations as claimed except that the imaging surfaces are mirror surfaces. However, it is common and known in the art to use reflective pixel electrodes to obtain a reflective display. Further, it is also

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known in the art that the reflective pixel electrodes have mirror surfaces. Therefore, it would have at least been obvious to one of ordinary skill in the art at the time of the invention was made to modify the LCD array of Stephenson such that use reflective pixel electrodes (mirror surfaces) so that a reflective display is obtained.

Accordingly, claims 1-3, 12 and 18 would have been obvious.

As to claims 4-7, Stephenson shows in Fig. 3 that that the plurality of power traces includes a plurality of first voltage traces, and a plurality of second voltage traces. As to positioning the first voltage traces and the second voltage traces in alternate fashion is common and known in the art and thus would have been obvious to avail a proven technique.

Response to Arguments

7. Applicant's arguments filed on 07/16/03 have been fully considered but they are not persuasive.

8. Applicant's arguments/amendments, with respect to claims 8, 13, 15, 19 and 20 have been fully considered and are persuasive. The rejection of the claims 8, 13, 15, 19 and 20 based on Matsukawa has been withdrawn.

Applicant's arguments:

a) Stephenson differs from the subject matter of the present invention because they fail to suggest protection of semiconductor junctions in the underlying chip from exposure of light.

b) The traces of Stephenson are not power traces.

Examiner's response:

a) In response to applicant's argument that the reference fails to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., traces do not protect semiconductor junctions in the underlying chip from exposure of light) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

b) Stephenson discloses that a potential is being applied to the conductive vertical and horizontal traces for displaying an image (col. 5, lines 10-15, 37-44). Therefore, it is clear that the traces of Stephenson carries power when voltage is applied to them and thus is considered as power traces.

Therefore the rejection was proper and thus maintained.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

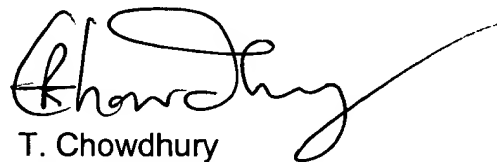
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tarifur R Chowdhury whose telephone number is (703) 308-4115. The examiner can normally be reached on M-Th (6:30-5:00) Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on (703) 305-3492. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

A handwritten signature in black ink, appearing to read 'T. Chowdhury', with a long, sweeping horizontal stroke extending to the right.

T. Chowdhury
Primary Examiner
Technology Center 2800

TRC
September 13, 2003